**PATENTS** 

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Michael Wayne Graham, et al.

Examiner:

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RECEIVED

Serial No:

09/997,905

**Art Unit:** 

1633

SEP 1 7 2002

Filed:

Nov. 30, 2001

Docket:

11535Y

TECH CENTER 1600/2900

For:

CONTROL OF GENE EXPRESSION

Dated:

**September 12, 2002** 

**Assistant Commissioner for Patents** United States Patent and Trademark Office Washington, D.C. 20231

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## INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case

- 1. Fire, A., Xu, S.Q., Montgomery, M.K. Kostas, S.A. Driver, S.E. and Mello, C.C. (1998), "Potent and Specific Genetic Interference by Double-Standard RNA in Caenorhabditis elegans". Nature, 391 (6669): 806-811;
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)** 

I hereby certify that this correspondence is being deposited with the United States Postal/Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 12, 2002.

Dated: September 12, 2002

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Copies of the above-cited references were previously submitted in the parent application, Serial No. 09/100,812, in Information Disclosure Statements dated December 20, 2000; June 20, 2002; and September 3, 2002.

Consideration of this Information Disclosure Statement is respectfully requested, since the art may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in C.F.R. §1.97(b), no statement or fee is required.

Respectfully submitted,

Frank S. DiGiglio
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Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 FSD:ahs

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		5,714,323	2/3/98	Oshima, et al.			
		5,686,649	11/11/97	Chua, et al.			
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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE OF EVER (REV. 7-80)PATENT AND TRADEMARK OFFICE  LIST OF PRIOR ART			Atty. Docket No. 11535Y		Serial No. 09/997,905 RECEIVED			
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	BY APPLICANT	ED 1 6 MM	Applicant Michael Wayne Grah	ıam, et al.			1 7 2002	
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EXAMINER	<del> </del>		DATE CONSIDERED					
* EXAMINER: I	Initial if reference considered, whether or not cita	tion is in conformance with	MPEP 609; draw line through citation if not i	in conformance and n	ot considered. Include	copy of this for	m with	

Sheet 15 of 15 U.S. DEPARTMENT OF COMMERCE Atty. Docket No. Serial No. (REV. 7-80)PATENT AND TRADEMARK OFFICE 09/997,905 11535Y LIST OF PRIOR ART RECEIVED CITED BY APPLICANT Applicant Michael Wayne Graham, et al. SEP 1 7 2002 (Use several sheets if necessary) Group **Filing Date** Nov. 30, 2001 1633 TECH CENTER 160D/2900 U.S. PATENT DOCUMENTS **EXAMINER** DOCUMENT NUMBER DATE NAME **CLASS SUBCLASS** FILING DATE INITIAL\* (if appropriate) FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY **CLASS SUBCLASS TRANSLATION** YES NO OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) Smardon, Anne et al., "EGO-1 is related to RNA-directed RNA polymerase an functions in germ-line development and RNA interference in C. elegans", Current Biology, 10(4): 169-178 (2000) Wassenegger, Michael et al., "Signalling in gene silencing", Elsevier Science, 4(6): 207-209 (1999) Ding, Shou Wei, "RNA silencing", Current Opinion in Biotechnology, 11: 152-156 (2000) Marx, Jean, "Interfering With Gene Expression", Science, 288: 1370-1372 (2000) Gura, Trisha, "A silence that speaks volumes", Nature, 404: 804-808 (2000) **EXAMINER DATE CONSIDERED** 

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TRAN	TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  SP 1 6 2002 5 (Under 37 CFR 1.97(b) or 1.97(c))  Docket No.  11535Y						
In R	Application I Application	of:	Michael Wayne Graham, et al.				
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			37 C	FR 1.97(b)			
1., 🛚	The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.						
			37 C	FR 1.97(c)			
2. 🗖	The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:						
	1. a Final Action under 37 CFR 1.113, or						
	2. a Notice of Allowance under 37 CFR 1.311,						
	whichever occurs first.						
	Also submitted herewith is:						
	☐ a certification as specified in 37 CFR 1.97(e);						
			OR				
	the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).						

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XFP 1 6 2000	TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))							
In Re Application Of: M.	In Re Application Of: Michael Wayne Graham, et al.							
Serial No. 09/997,905	Filing Date Nov. 30, 2001	Examiner Unassigned	Group Art Unit 1633					
Title: CONTROL OF G	ENE EXPRESSION		RECEIVED					
		ent of Fee to pay the fee set forth in 37 CFR 1.17(p))	TECH CENTER 1600/2900					
as described below. A duplicate copy of this sheet is enclosed.  Charge the amount of Credit any overpayment. Charge any additional fee required.  Certificate of Transmission by Facsimile*  Certificate of Transmission by Facsimile*  Certificate of Mailing by First Class Mail  Certify that this document and ele is being deposited on September 12, 2002 with the U.S. Postal Service as first plass mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, U.C. 2023.  Signature  *This certificate may only be used if paying by deposit account.  Dated: September 12, 2002  Dated: September 12, 2002  Frank S. DiGiglio  Registration No. 31,346  SCULLY, SCOTT, MURPHY & PRESSER  400 Garden City Plaza  Garden City, New York 11530  (516) 742-4343  FSD:ahs								
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